

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

RONALD EDWARD WILLIAMS,

Plaintiff,

v.

**9:09-CV-1298
(FJS/CFH)**

**KEITH DUBRAY, Acting Director, Special
Housing,**

Defendant.

APPEARANCES

RONALD EDWARD WILLIAMS
MDC Brooklyn
Metropolitan Detention Center
Inmate Mail/Parcels
P.O. Box 329002
Brooklyn, New York 11232
Plaintiff *pro se*

OF COUNSEL

**OFFICE OF THE NEW YORK
STATE ATTORNEY GENERAL**
The Capitol
Albany, New York 12224
Attorneys for Defendant

CHARLES J. QUACKENBUSH, AAG

SCULLIN, Senior Judge

ORDER

Currently before the Court are Magistrate Judge Hummel's September 17, 2012 Report-Recommendation and Order, *see* Dkt. No. 45, and Plaintiff's objections thereto, *see* Dkt. Nos. 46, 38.

Plaintiff commenced this action pursuant to 42 U.S.C. § 1983 against Defendant Dubray, contending that Defendant Dubray violated his constitutional rights under the Fourteenth

Amendment. *See* Dkt. No. 9. On March 16, 2012, Defendant moved for summary judgment. *See* Dkt. No. 37. In a Report-Recommendation and Order dated September 17, 2012, Magistrate Judge Hummel recommended that the Court grant Defendant's motion. *See* Dkt. No. 45. Plaintiff objected to that recommendation. *See* Dkt. Nos. 46, 48.

In reviewing a magistrate judge's report and recommendation, the district court may decide to accept, reject or modify those recommendations. *See* 28 U.S.C. § 636(b)(1). The court conducts a *de novo* review of the portions of the magistrate judge's recommendations to which a party objects. *See Pizzaro v. Bartlett*, 776 F. Supp. 815, 817 (S.D.N.Y. 1991). ""If, however, the party makes only conclusory or general objections, or simply reiterates his original arguments, the Court reviews the Report and Recommendation only for clear error."" *Salmini v. Astrue*, No. 3:06-CV-458, 2009 WL 1794741, *1 (N.D.N.Y. June 23, 2009) (quoting [*Farid v. Bouey*, 554 F. Supp. 2d 301] at 306 [(N.D.N.Y. 2008)] (quoting *McAllan v. Von Essen*, 517 F. Supp. 2d 672, 679 (S.D.N.Y. 2007))). Finally, even if the parties file no objections, the court must ensure that the face of the record contains no clear error. *See Wilds v. United Parcel Serv., Inc.*, 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (quotation omitted).

The Court has reviewed Plaintiff's objections, some of which are conclusory and all of which, for a number of reasons, are without merit. Despite these deficiencies in Plaintiff's objections, the Court conducted a *de novo* review of Magistrate Judge Hummel's Report-Recommendation and Order in light of those objections. Having completed that review, the Court hereby

ORDERS that Magistrate Judge Hummel's September 17, 2012 Report-Recommendation and Order is **ACCEPTED in its entirety** for the reasons stated therein; and the Court further

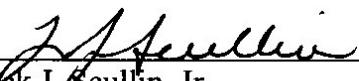
ORDERS that Defendant's motion for summary judgment is **GRANTED in its entirety**;
and the Court further

ORDERS that the Clerk of the Court shall enter judgment in favor of Defendant and
close this case; and the Court further

ORDERS that the Clerk of the Court shall serve a copy of this Order on the parties in
accordance with the Local Rules.

IT IS SO ORDERED.

Dated: March 12, 2013
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge